

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

Case No.: 3:11-bk-03993
Chapter 13

In Re:
Charlotte Laverne Williams and
Rodney Wendell Williams, Sr.
Debtor(s)

AMENDED CHAPTER 13 PLAN

The debtors submit the following Amended Chapter 13 Plan:

1. The future earning of the debtors are submitted to the supervision and control of the Trustee, and the debtors shall pay to the Trustee the sum of \$2122.98 per month for months one through five (1-5) and \$1915.33 per month for months six through sixty (6-60).
2. From the payments so received, the Trustee shall make disbursements as follows:
 - a. Priority Claims.
 - i. The fees and expenses of the Trustee shall be paid over the life of the plan at the rate of ten percent (10 %) of the amount of all payments under the plan.
 - ii. The Debtors' Attorney, LaBella Law, P.L. shall be paid \$2000.00 in attorney's fees. The Trustee shall pay the Debtor's Attorney at a rate of \$200.00 for month one through 2 (1-2) and \$100.00 for month three (3) of the plan. Hyatt Legal Insurance shall pay directly to the Debtors' attorney the balance of \$1500.00.
 - iii. The **Internal Revenue Service** has a priority claim for income taxes for the years 2008 and 2009 for \$1404.29. This creditor shall receive \$25.53 for months six through fifty-nine (5-59) of the plan and \$25.67 for month sixty (60).

b. Secured Claims.

- i. **Mid Island Mortgage** holds a first mortgage on the debtor's principal residence located at 4357 Longmire Road, Middleburg, Florida 32068. The Trustee shall make the regular monthly payments of \$1166.00 for months one through five (1-5) and \$963.44 for months six through sixty (6-60).

The Debtor(s) are currently \$7798.62 in arrears on their first mortgage payment, which includes late charges. The Trustee shall pay the creditor \$141.79 for month nine through fifty-nine (9-59) and \$141.96 for month sixty (60) toward the arrearage to bring the mortgage payments current over a sixty (60) month period.

- ii. **Georgia Auto** holds a lien on the debtor(s) Nissan Armada. The balance on this account is \$2200.85. This debt shall be re-amortized and paid in full over the life of the plan with interest accruing at a rate five percent (5%), which has been figured into the following payment schedule. The Trustee shall make regular monthly payments of \$37.74 for months one through five (1-5), \$37.76 for months six through fifty-nine (6-59), and \$37.77 for month sixty (60).
- iii. **Santander** holds a lien on the debtor(s) 2008 Ford Mustang. The balance on this account is \$20713.09. This debt shall be paid in full over the life of the plan with interest accruing at a rate of five percent (5%). The interest is accounted for in the rate set forth below. The Trustee shall make regular monthly payments of \$398.60 for months one through five (1-5) and \$390.18 for months six through sixty (6-60).

c. Unsecured Claims.

- i. **Unsecured creditors**, including those secured creditors who have deficiency claims or whose liens have been avoided and who

timely file proofs of claim shall receive distribution pro-rata. The Trustee shall distribute pro rata each month among those unsecured creditors whose claims are timely filed and allowed. If all unsecured creditors file claims, each will receive payments totaling 73 % of his claim.

- ii. Any claim filed after the claims bar date shall receive no distribution under this plan, unless specifically provided for above.
- iii. The debtors do not reject any executory contracts.
- iv. Title to all property of the estate shall revert in the debtors upon confirmation of this plan.
- v. *Except as provided for in the plan, the order confirming the plan or other court order, no interest, late charges, penalties or attorney's fees will be paid to or accessible by any secured creditor. 11 U.S.C. Section 1327(a) provides:*

“The provision of a confirmed plan bind the debtors and each creditor, whether or not the claim of such creditor provided for by the plan, and whether or not such creditor has objected to, has accepted, or has rejected the plan.”

Once Debtor successfully complete the Chapter 13 plan and a discharge is entered by the Court, NO SECURED CREDITOR WILL BE ALLOWED TO ADD LATE CHARGES, PENALTIES, INTEREST OR ATTORNEY’S FEES FROM THE BEGINNING OF TIME THROUGH THE DATE OF DISCHARGE.

Dated this 22nd day of November 2011.

/s/ John J. Freeman

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